

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HANG LI, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

SPIRIT AEROSYSTEMS HOLDINGS,
INC., TOM GENTILE III, and MARK J.
SUCHINSKI,

Defendants.

Case No. 1:23-cv-03722-PAE

**STIPULATION AND [PROPOSED] ORDER APPOINTING
LEAD PLAINTIFF AND CO-LEAD COUNSEL**

WHEREAS, Plaintiff Hang Li (“Li”), through his counsel, Glancy Prongay & Murray LLP (“GPM”) and Holzer & Holzer, LLC (“Holzer”), filed this putative securities class action on May 3, 2023 on behalf of investors that purchased or otherwise acquired Spirit AeroSystems Holdings, Inc. (“Spirit”) securities between April 8, 2020 and April 13, 2023, both dates inclusive (Dkt. No. 1);

WHEREAS, that same day, notice of the action was issued pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”), advising Spirit investors of the July 3, 2023 deadline to file a motion for appointment as lead plaintiff (Dkt. No. 10-2);

WHEREAS, on July 3, 2023, two motions seeking appointment as lead plaintiff and approval of lead counsel were filed: one by Li (Dkt. No. 8), and one by Michael D Joseph (“Joseph”) (Dkt. No. 11);

WHEREAS, upon review of the record in the action, and discussions between Li and Joseph through their respective counsel, the undersigned agree that Li has a significant financial interest in the recovery sought by the class in this action, and satisfies the relevant requirements of adequacy and typicality under Rule 23 of the Federal Rules of Civil Procedure, as required to be appointed as lead plaintiff pursuant to Section 21D(a)(3)(B) of the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B);

WHEREAS, the undersigned believe it is in the putative class’s best interest that Li be appointed as lead plaintiff, that Joseph be available to serve as an additional plaintiff if beneficial to the class, and that Li’s selection of GPM and Holzer, be approved as co-lead counsel; and

WHEREAS, Li is committed to supervising the conduct of this litigation by his counsel and to ensuring that counsel coordinate appropriately, prosecute the action efficiently and avoid any duplication of effort in the conduct of the litigation;

IT IS HEREBY STIPULATED that, subject to the Court's approval, Li shall be appointed as lead plaintiff, and GPM and Holzer shall be approved as co-lead counsel.

**APPOINTMENT OF LEAD PLAINTIFF
AND APPROVAL OF CO-LEAD COUNSEL**

1. Having considered the provisions of Section 21D(a)(3)(B) of the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B), the Court hereby determines that Li is the most adequate plaintiff and satisfies the requirements of the PSLRA. The Court hereby appoints Li as lead plaintiff to represent the interests of the class.

2. Pursuant to Section 21D(a)(3)(B)(v) of the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B)(v), Li has selected GPM and Holzer to serve as co-lead counsel. The Court approves GPM and Holzer as co-lead counsel.

3. Co-lead counsel shall have the following responsibilities and duties, to be carried out either personally or through counsel whom co-lead counsel shall designate:

- a. to coordinate the briefing and argument of any and all motions;
- b. to coordinate the conduct of any and all discovery proceedings;
- c. to coordinate the examination of any and all witnesses in depositions;
- d. to coordinate the selection of counsel to act as spokesperson at all pretrial conferences;
- e. to call meetings of the plaintiffs' counsel as deemed necessary and appropriate from time to time;
- f. to coordinate all settlement negotiations with counsel for defendants;
- g. to coordinate and direct the pretrial discovery proceedings and the preparation for trial and the trial of this matter, and to delegate work responsibilities to selected counsel as may be required;

- h. to coordinate the preparation and filings of all pleadings; and
- i. to supervise all other matters concerning the prosecution or resolution of the claims asserted in the Action.

4. No motion, discovery request, or other pretrial proceedings shall be initiated or filed by any plaintiffs without the approval of co-lead counsel, so as to prevent duplicative pleadings or discovery by plaintiffs. No settlement negotiations shall be conducted without the approval of co-lead counsel.

5. Service upon any plaintiff of all pleadings, motions, or other papers in the Action, except those specifically addressed to a plaintiff other than the lead plaintiff, shall be completed upon service of co-lead counsel.

Co-lead counsel shall be the contact between plaintiffs' counsel and defendants' counsel, as well as the spokespersons for all plaintiffs' counsel, and shall direct and coordinate the activities of plaintiffs' counsel. Co-lead counsel shall be the contact between the Court and plaintiffs and their counsel.

DATED: August 2, 2023

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*Counsel for Hang Li and Proposed Co-Lead
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DATED: August 2, 2023

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Counsel for Michael D Joseph

SO ORDERED:

Dated _____, 2023

Honorable Paul A. Engelmayer
United States District Judge

PROOF OF SERVICE

I, the undersigned say:

I am not a party to the above case and am over eighteen years old.

On August 2, 2023, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Southern District of New York, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 2, 2023, at New York, New York.

/s/ Gregory B. Linkh
Gregory B. Linkh